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# STATE OF COLORADO

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Colorado Department  
of Public Health  
and Environment

**DRAFT**

February 15, 2005

Mr. Chuck Stillwell, Environmental Manager  
Atlantic Richfield Company  
317 Anaconda Road  
Butte, Montana 59701

Re: Certificate of Designation Application  
Rico Renaissance, LLC  
North Rico Soil Lead Repository

Dear Stillwell:

The Hazardous Materials and Waste Management Division (Division) of the Colorado Department of Public Health and Environment has completed its technical review of the Application for Certificate of Designation (CD) for the proposed North Rico Soil Lead Repository. The proposed lead soil repository is to be located .75 miles north of the northern boundary of the Town of Rico in Dolores County. The CD application, which contains the Design and Operations Plan was prepared and submitted by Atlantic Richfield Company. The operations area will be approximately 1.5 acres in size and be comprised of a single cell for lead contaminated soil disposal.

The application was reviewed to determine its compliance with the requirements set forth in the Solid Waste and Disposal Sites and Facilities Act, Title 30, Article 20, Part 1 of the Colorado Revised Statutes, as amended and with the regulations promulgated thereunder 6 CCR 1007-2 (the Regulations).

Based on the CD Application review, the Division finds several areas of the CD Application requiring clarification or modification to meet the requirements of the Regulations. The Division's comments are as follows:

1. Page 1 of the application states that Rico Properties, LLC (RP) is the representative for Rico Renaissance, LLC although RP is the owner of the repository site. Please provide an explanation of Rico Renaissance's interest in this property.

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2. Page 13 of the application states that a Non-Profit entity will construct and operate the water treatment facility and associated treatment solids repositories. First, this application is for one repository but more importantly, who makes up the non-profit entity that will be responsible for the long-term maintenance and operation of the facility?
3. How will waste rock, if encountered during grading and compaction of the subgrade, be treated or disposed of.
4. Page 10 of the application discusses a collapse of the adjacent St. Louis Tunnel in the mid 1990's and later discusses future planned repairs. Could further collapse or the anticipated repair work of the tunnel impact the stability of the proposed repository?
5. The application discusses placement of the waste material and page 18 states that the waste material will be compacted. What is the anticipated thickness of the lifts?
6. Quality assurance and quality control QA/QC data are required to be provided for review and approval by the Division prior to the acceptance of any waste. The Division's guidance document concerning construction QA/QC for solid waste facilities has been included.
7. Financial assurance, per section 1.8 of the Regulations was not addressed in the application. This omission was outlined in our completeness review letter dated January 6, 2006. The Division will not make a final determination regarding the application until financial assurance information is provided.

These conclude the Division's comments regarding North Rico Soil Lead Repository's Certificate of Designation Application. Please contact me at 970-248-7168 if you have any questions regarding this letter.

Sincerely,

Donna Stoner, Environmental Protection Specialist  
Solid Waste Unit  
Compliance Program

cc: Stan Foster, Rico Properties, LLC  
Ramon Escure, ESQ., Counsel, Rico Renaissance, LLC  
Eric J. Heil, P.C., Town of Rico  
Mark Walker, CDPHE-Denver  
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